

Filed for intro on 01/31/2002
HOUSE BILL 2910 By
Walker

SENATE BILL 2966
By Trail

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 102, relative to NOAA weather radio receivers for manufactured homes, and Tennessee Code Annotated, Section 68-126-205, relative to NOAA weather radio receivers for manufactured homes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 102, is amended by adding the following as a new section:

Section _____. (a) As used in this section, unless the context otherwise requires, "NOAA weather radio receiver" shall mean a device which is capable of receiving continuous weather and emergency information broadcast by the National Oceanic and Atmospheric Administration (NOAA) Weather Radio (NWR) and of emitting an audible and visible alarm upon activation by NWR.

(b) Notwithstanding any provision of law to the contrary, it is unlawful to:

- (1) Own or operate a manufactured home rental unit without equipping the unit with a functioning NOAA weather radio receiver, which, when activated by NWR, shall initiate an alarm

which is audible in the sleeping rooms of the manufactured home;

or

- (2) Tamper with or remove any NOAA weather radio receiver required by this section, or a component thereof.

(c) All NOAA weather radio receivers required by this section:

- (1) Shall be installed in accordance with the manufacturer's directions, unless they conflict with applicable law; and
- (2) Shall be equipped with Specific Area Message Encoding (SAME) technology; and
- (3) May be wired directly (hardwired) to the manufactured home's power supply with a battery back-up, powered by a self-monitored battery, or operated with a plug-in outlet with a battery back-up.

(d) (1) Any NOAA weather radio receiver required by this section shall be maintained by the tenant of the manufactured home where the NOAA weather radio receiver is located in accordance with the manufacturer's instructions. However, upon termination of a tenancy in a rental unit, the owner shall ensure that any required NOAA weather radio receiver is present and operational prior to reoccupancy of the manufactured home.

- (2) Compliance with this section does not relieve any person from the requirements of other applicable law, ordinance, rule, or regulation.

(e) (1) Any person violating the provisions of this section commits a Class A misdemeanor. Each day on which a violation continues constitutes a separate offense under this section.

(2) The provisions of § 68-120-106 shall apply with respect to the enforcement of this section.

(f) The state fire marshal as resources permit shall periodically undertake appropriate activities to encourage compliance with and enforcement of the provisions of this section.

SECTION 2. Tennessee Code Annotated, Section 68-126-205, is amended by inserting the following new subsection immediately following subsection (b):

- () (1) Any dealer who sells a manufactured home to a consumer or other entity in this state shall furnish a NOAA weather radio receiver to the purchaser at the time of the sale of the manufactured home. As used in this subsection, unless the context otherwise requires, "NOAA weather radio receiver" means a device which is capable of receiving continuous weather and emergency information broadcast by the National Oceanic and Atmospheric Administration (NOAA) Weather Radio (NWR) and of emitting an audible and visible alarm upon activation by NWR.
- (2) All NOAA weather radio receivers required by this subsection:
- (A) Shall be equipped with Specific Area Message Encoding (SAME) technology; and
- (B) May be wired directly (hardwired) to the manufactured home's power supply with a battery back-up, powered by a self-monitored battery, or operated with a plug-in outlet with a battery back-up.

SECTION 3. This act shall take effect July 1, 2002, the public welfare requiring it. For enforcement purposes, this act shall take effect October 1, 2002.